

090964-110300

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(34 U.S.C. § 119(e))

---

---

---

## (Declaration and Power of Attorney [1-1]—page 3 of 6)

the specification of which:

(complete (a), (b) or (c))

- (a) ☐ is attached hereto.
- (b) ☐ was filed on \_\_\_\_\_ as ☐ Serial No. 0 / \_\_\_\_\_  
or ☐ Express Mail No., as Serial No. not yet known \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).
- NOTE: Amendments filed after \_\_\_\_\_

NOTE. Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c) ☒ was described and claimed in PCT International Application No. PCT/FI98/00749, filed on 23 Sept. 1998 and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,

*(also check the following items, if desired)*

- ☒ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- ☐ in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☐ no such applications have been filed.
- (e) ☒ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

[illegible]

Attorney's Docket No. U 012653-9**PATENT**

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL  
CONTINUATION OR C-I-P)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

(check one applicable item below)

- ☐ original.  
☐ design.  
☐ supplemental.

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☒ national stage of PCT.

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.

- ☐ divisional.  
☐ continuation.  
☐ continuation-in-part (C-I-P).

**INVENTORSHIP IDENTIFICATION**

**WARNING:** If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

Novel gene defective in apced and its use



09506558 110300

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

PAUL B. WEST, 18947	PETER D. GALLOWAY, 27885
JOSEPH H. HANDELMAN, 26179	IAIN C. BAILLIE, 24090
JOHN RICHARDS, 31053	THOMAS F. PETERSON, 24790
JOHN J. CHRYSTAL, 26360	RICHARD P. BERG, 28145
RICHARD J. STREIT, 25765	JULIAN H. COHEN, 20302
ALAN K. ROBERTS, 17777	WILLIAM R. EVANS, 25858
S. DELVALLE GOLDSMITH, 14383	JANET I. CORD, 33778
	CLIFFORD J. MASS, 30086

(check the following item, if applicable)

- ☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

LADAS & PARRY  
26 WEST 61ST STREET  
NEW YORK, NEW YORK 10023

(212)708-1930

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

09508088-10301

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
FI	973762	23 Sept. 1997	<input checked="" type="checkbox"/> YES      NO <input type="checkbox"/>
			<input type="checkbox"/> YES      NO <input type="checkbox"/>
			<input type="checkbox"/> YES      NO <input type="checkbox"/>
			<input type="checkbox"/> YES      NO <input type="checkbox"/>
			<input type="checkbox"/> YES      NO <input type="checkbox"/>

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

\_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_ / \_\_\_\_\_

---

---

---

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S)  
UNDER 35 U.S.C. 120**

- 1) The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P) APPLICATION.

## SPECIFICATION IDENTIFICATION

the specification of which:

(complete (a), (b) or (c))

(a) ☐ is attached hereto.

(b) ☐ was filed on \_\_\_\_\_ as ☐ Serial No. 0 / \_\_\_\_\_  
or ☐ Express Mail No., as Serial No. not yet known \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67

(c) ☒ was described and claimed in PCT International Application No. PCT/FI98/00749, filed on 23 Sept. 1998 and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

## ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

(also check the following items, if desired)

☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

☐ in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

## PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) ☐ no such applications have been filed.

(e) ☒ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

PAUL B. WEST, 18947	PETER D. GALLOWAY, 27885
JOSEPH H. HANDELMAN, 26179	IAIN C. BAILLIE, 24090
JOHN RICHARDS, 31053	THOMAS F. PETERSON, 24790
JOHN J. CHRYSTAL, 26360	RICHARD P. BERG, 28145
RICHARD J. STREIT, 25765	JULIAN H. COHEN, 20302
ALAN K. ROBERTS, 17777	WILLIAM R. EVANS, 25858
S. DELVALLE GOLDSMITH, 14383	JANET I. CORD, 33778
	CLIFFORD J. MASS, 30086

(check the following item, if applicable)

- ☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

LADAS & PARRY  
26 WEST 61ST STREET  
NEW YORK, NEW YORK 10023

(212)708-1930

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

Kai

(GIVEN NAME)

(MIDDLE INITIAL OR NAME)

Krohn

FAMILY (OR LAST NAME)

Inventor's signature

Date

Country of Citizenship

Finland

Residence

Post Office Address

Full name of second joint inventor, if any

Maarit

(GIVEN NAME)

(MIDDLE INITIAL OR NAME)

Heino

FAMILY (OR LAST NAME)

Inventor's signature

Date

Country of Citizenship

Finland

Residence

Post Office Address

Full name of third joint inventor, if any

Pärt

(GIVEN NAME)

(MIDDLE INITIAL OR NAME)

Peterson

FAMILY (OR LAST NAME)

Inventor's signature

Date

Country of Citizenship

Estonia

Residence

Post Office Address



(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)

☒ Signature for fourth and subsequent joint inventors. Number of pages added  
2

. . .

☐ Signature by administrator(tnx), executor(tnx) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_

. . .

☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_

. . .

☐ Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47)

. . .

☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.

☐ Number of pages added \_\_\_\_\_

. . .

☐ Authorization of attorney(s) to accept and follow instructions from representative.

. . .

(if no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)

☐ This declaration ends with this page.

09503658 110300

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY FOURTH AND SUBSEQUENT INVENTORS

Hamish

**GIVEN NAME**

MIDDLE INITIAL OR NAME

Scott

FAMILY (OR LAST NAME)

**Inventor's signature**

Date \_\_\_\_\_ Country of Citizenship Australia

**Residence****Post Office Address**

Stylianos

**GIVEN NAME**

MIDDLE INITIAL OR NAME

Antonarakis

FAMILY (OR LAST NAME)

**Inventor's signature**

Date \_\_\_\_\_ Country of Citizenship US/Greece

**Residence**

Post Office Address

Maria

GIVEN NAME

MIDDLE INITIAL OR NAME

Lalioti

FAMILY (OR LAST NAME)

**Inventor's signature**

Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_

**Residence****Post Office Address**

[illegible]

7-00

Nobuyoshi  
GIVEN NAME

Shimizu  
FAMILY (OR LAST NAME)

Date \_\_\_\_\_ Country of Citizenship Japan

Post Office Address \_\_\_\_\_

8-10

Jun  
GIVEN NAME

Kudoh  
FAMILY (OR LAST NAME)

Date \_\_\_\_\_ Country of Citizenship Japan

Post Office Address \_\_\_\_\_


GIVEN NAME

FAMILY (OR LAST NAME)

Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_



<b>VERIFIED STATEMENT Aiming Small Entity Status</b> <b>(37 CFR 1.9(f) &amp; 1.27(c), SMALL BUSINESS CONCERN)</b>		<b>Form B</b> Docket Number (Optional)
Applicant or Patentee: <u>Finnish Immunotechnology Ltd.</u> Serial or Patent No.: _____ Filed or Issued: _____ Title: <u>Novel gene defective in apeced and its use</u>		
I hereby declare that I am <input type="checkbox"/> the owner of the small business concern identified below; <input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:		
NAME OF SMALL BUSINESS CONCERN <u>Finnish Immunotechnology Ltd.</u> ADDRESS OF SMALL BUSINESS CONCERN <u>Lenkkeilijäntäkatu 8, FIN-33530 Tampere, Finland</u>		
<p>I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:</p> <input checked="" type="checkbox"/> the specification filed herewith with title as listed above. <input type="checkbox"/> the application identified above. <input type="checkbox"/> the patent identified above.		
<p>If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).</p> <p>Each person, concern or organization having any rights in the invention is listed below:</p> <input type="checkbox"/> no such person, concern, or organization exists. <input type="checkbox"/> each such person, concern or organization is listed below.		
<p>Separate verified statements are required from each named person, concern or organization having rights in the invention averring to their status as small entities. (37 CFR 1.27)</p> <p>I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.</p>		
NAME OF PERSON SIGNING <u>Pekka Sillanaukee</u>		
TITLE OF PERSON IF OTHER THAN OWNER <u>chief executive officer</u>		
ADDRESS OF PERSON SIGNING <u>Lenkkeilijäntäkatu 8, 33520 TAMPERE FINLAND</u>		
SIGNATURE <u></u> DATE <u>March 7th, 2000</u>		

PTO/SB/10 (11-90)

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

KOKON.SIUUMÄÄRÄ 02